

Rule 3.2(a) because it is the federal district court that geographically encompasses the place where the original State Court Action was filed and is pending. Accordingly, Defendant seeks to remove this action to this Court.

Federal Question Jurisdiction Supports Removal

6. The only claim brought by Plaintiff is pursuant to the FCRA, 15 U.S.C. § 1681 *et seq.* Exhibit A, Petition at 1.

7. Federal question jurisdiction exists over Plaintiff's claims under 28 U.S.C. § 1331 because the resolution of Plaintiff's claims will require adjudication of disputed questions of federal law.

8. To the extent that Plaintiff alleges statutory, state common law, or nonfederal claims, this court has supplemental jurisdiction over any such claims under 28 U.S.C. § 1367 because those claims arise out of the same facts as Plaintiffs' claims under the FCRA and "form part of the same case or controversy under Article III of the United States Constitution." 28 U.S.C. § 1367(a).

9. Because Plaintiff's FCRA claim arises under the laws of the United States, removal is appropriate under 18 U.S.C. § 1441.

Defendant U.S. Bank has Satisfied Procedural Requirements for Removal

10. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon U.S. Bank in the State Court Action are attached hereto as Exhibit A.

11. Counsel for U.S. Bank has confirmed with the Circuit Court of Jackson County, Missouri that they have no document or file suggesting any other Defendant has been served. To the best of U.S. Bank's knowledge, no other named Defendant in this matter has been served as of the date and time of this Notice of Removal.

12. Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal will be given to Plaintiff, and a copy of the Notice of Removal will be filed with the Clerk of Court for the Circuit Court of Jackson County where the State Court Action is pending and served upon all adverse parties.

13. U.S. Bank respectfully reserves all defenses, including but not limited to all defenses specified in Rule 12(b) of the Federal Rules of Civil Procedure.

14. Defendant hereby designates Kansas City, Missouri as the place of trial.

WHEREFORE, Defendant U.S. Bank hereby gives notice of the removal of the above-referenced action now pending in the Circuit Court of Jackson County, Missouri to this Court.

Dated: December 14, 2020

Respectfully submitted,

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of December, 2020, I filed the foregoing through the Court's CM/ECF system, which will send notice of the electronic filing to all counsel of record.

The undersigned also certifies that a copy of the foregoing was served upon the following counsel of record via electronic email and by mailing a copy of the same to them, postage prepaid, in the United States Mail, to the address as shown below, on this 14th day of December, 2020:

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Attorneys for Plaintiff Artem Popov

/s/ Megan McCurdy
**ATTORNEY FOR DEFENDANT U.S. BANK,
N.A.**